

Message Text

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ACTION L-02

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TO SECSTATE WASHDC 4828

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UNCLAS SECTION 1 OF 2 VIENNA 1377

E.O. 11652: N/A

TAGS: PORG, AORG, PFOR, UN, AU

SUBJECT: ARTICLES ADOPTED BY COMMITTEE OF THE WHOLE DURING PERIOD
FEB. 4-12: UN 1975 RSIO CONFERENCE, VIENNA

TEXT OF ARTICLES ADOPTED BY COMMITTEE OF THE WHOLE AS OF
FEBRUARY 12 AND REFERRED TO DRAFTING COMMITTEE ARE GIVEN BELOW:

ARTICLE 1. (USE OF TERMS).

COMMENT: POSTPONED BY COMMITTEE OF THE WHOLE. END COMMENT.

ARTICLE 2. (SCOPE OF THE PRESENT ARTICLES).

BEGIN QUOTE:

1. THE PRESENT CONVENTION APPLIES TO THE REPRESENTATION
OF STATES IN THEIR RELATIONS WITH ANY INTERNATIONAL ORGANIZATION
OF A UNIVERSAL CHARACTER, AND TO THEIR REPRESENTATION AT
CONFERENCES CONVENED BY OR UNDER THE AUSPICES OF SUCH AN ORGANI-
ZATION, WHEN THE PRESENT CONVENTION HAS BEEN ACCEPTED BY
THE ORGANIZATION AND BY THE HOST STATE IN RESPECT OF THAT
ORGANIZATION.

2. THE FACT THAT THE PRESENT ARTICLES DO NOT RELATE TO
OTHER INTERNATIONAL ORGANIZATIONS IS WITHOUT PREJUDICE TO THE
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APPLICATION TO THE REPRESENTATION OF STATES IN THEIR RELATIONS

WITH SUCH OTHER ORGANIZATIONS OF ANY OF THE RULES SET FORTH
IN THE PRESENT ARTICLES WHICH WOULD BE APPLICABLE UNDER INTER-
NATIONAL LAW INDEPENDENTLY OF THESE ARTICLES.

3. THE FACT THAT THE PRESENT ARTICLES DO NOT RELATE TO
OTHER CONFERENCES IS WITHOUT PREJUDICE TO THE APPLICATION TO
THE REPRESENTATION OF STATES AT SUCH OTHER CONFERENCES
OF ANY OF THE RULES SET FORTH IN THE PRESENT ARTICLES
WHICH WOULD BE APPLICABLE UNDER INTERNATIONAL LAW INDEPENDENTLY
OF THESE ARTICLES.

4. NOTHING IN THE PRESENT ARTICLES SHALL PRECLUDE THE
CONCLUSION OF AGREEMENTS BETWEEN THE STATES CONCERNED AND THE
ORGANIZATION MAKING THE PRESENT ARTICLES APPLICABLE IN TOTO
OR IN PART TO INTERNATIONAL ORGANIZATIONS OR CONFERENCES
OTHER THAN THOSE REFERRED TO IN PARAGRAPH 1 OF THIS ARTICLE.
END QUOTE.

COMMENT: THE COMMITTEE ADOPTED THE U.K. AMENDMENT TO
PARAGRAPH 1, MADE NO CHANGE TO THE ILC TEXT OF PARAGRAPHS 2
AND 3, AND ADOPTED AS PARAGRAPH 4 THE JOINT AMENDMENT OF
FRANCE, IVORY COAST AND SWITZERLAND, AS ORALLY, REVISED BY
SUB-AMENDMENTS OF MADAGASCAR AND CAMAROO. END COMMENT.

ARTICLE 3. (RELATIONSHIP BETWEEN THE PRESENT ARTICLES
AND THE RELEVANT RULES OF INTERNATIONAL ORGANIZATIONS OR
CONFERENCES).

COMMENT: ILC TEXT ADOPTED. END COMMENT.

ARTICLE 4. (RELATIONSHIP BETWEEN THE PRESENT ARTICLES
AND OTHER INTERNATIONAL AGREEMENTS).

COMMENT: ILC TEXT ADOPTED. END COMMENT.

ARTICLE 5. (ESTABLISHMENT OF MISSIONS).

COMMENT: COMMITTEE ADOPTED ILC TEXT, AS ORALLY AMENDED
BY BELGIUM, FRG AND CAMAROO BY DELETION OF WORDS QUOTE IF
POSSIBLE UNQUOTE IN PARAGRAPH THREE (3).
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ARTICLE 6. (FUNCTIONS OF THE PERMANENT MISSION).

QUOTE: THE FUNCTIONS OF THE PERMANENT MISSION CONSIST
INTER ALIA IN:

(A) ENSURING THE REPRESENTATION OF THE SENDING STATE TO
THE ORGANIZATION;

(B) MAINTAINING THE LIAISON BETWEEN THE SENDING STATE
AND THE ORGANIZATION;

(C) NEGOTIATING WITH OR IN THE ORGANIZATION;

(D) ASCERTAINING ACTIVITIES IN THE ORGANIZATION AND
REPORTING THEREON TO THE GOVERNMENT OF THE SENDING
STATE;

(E) PROMOTING THE REALIZATION OF THE PURPOSES AND
PRINCIPLES OF THE ORGANIZATION BY CO-OPERATING WITH
AND WITHIN THE ORGANIZATION;

(F) PROTECTING THE INTERESTS OF THE SENDING STATE IN
RELATION TO THE ORGANIZATION;

(G) ENSURING THE PARTICIPATION OF THE SENDING STATE IN
THE ACTIVITIES OF THE ORGANIZATION. END QUOTE.

COMMENT: COMMITTEE MADE NO CHANGE IN DLC TEXT FOR
INTRODUCTORY PHRASE AND SUB-PARAGRAPHS (A), (B), AND (D);
ADOPTED FRG AMENDMENTS TO PARAGRAPHS (B) AND (E); ADOPTED
NEW PARAGRAPH (F); PROPOSED BY SPAIN; AND ADOPTED NEW
PARAGRAPH (G), PROPOSED BY FRANCE AND SWITZERLAND. END COMMENT.

ARTICLE 7. (FUNCTIONS OF THE PERMANENT OBSERVER MISSION).

QUOTE: THE FUNCTIONS OF THE PERMANENT OBSERVER MISSION
CONSIST INTER ALIA IN:

(A) ENSURING, IN RELATIONS WITH THE ORGANIZATION,
THE REPRESENTATION OF THE SENDING STATE AND MAIN-
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TAINING LIAISON WITH THE ORGANIZATION;

(B) ASCERTAINING ACTIVITIES IN THE ORGANIZATION AND
REPORTING THEREON TO THE GOVERNMENT OF THE SENDING
STATE;

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(C) PROMOTING CO-OPERATION WITH THE ORGANIZATION AND
NEGOTIATING WITH IT. END QUOTE.

COMMENT: COMMITTEE MADE NO CHANGE IN ILC TEXT TO INTRO-
DUCTORY PHRASE OR SUB-AMENDMENTS (A) AND (B), AND ADOPTED
SPANISH AMENDMENT TO PARAGRAPH (C). END COMMENT.

ARTICLE 8. (MULTIPLE ACCREDITATION OR APPOINTMENT).

QUOTE:

1. THE SENDING STATE MAY ACCREDIT THE SAME PERSON AS
HEAD OF MISSION TO TWO OR MORE INTERNATIONAL ORGANIZATIONS
OR APPOINT A HEAD OF MISSION AS A MEMBER OF THE DIPLOMATIC
STAFF OF ANOTHER OF ITS MISSIONS.

2. THE SENDING STATE MAY ACCREDIT A MEMBER OF THE
DIPLOMATIC STAFF OF THE MISSION AS HEAD OF MISSION TO
OTHER INTERNATIONAL ORGANIZATIONS OR APPOINT A MEMBER OF
THE STAFF OF THE MISSION AS A MEMBER OF THE STAFF OF ANOTHER
OF ITS MISSIONS.

3. SEVERAL STATES MAY ACCREDIT THE SAME PERSON AS
HEAD OF MISSION TO ONE OR MORE INTERNATIONAL ORGANIZATIONS.
END QUOTE.

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COMMENT: COMMITTEE MAINTAINED WITHOUT CHANGE PARAGRAPHS
ONE (1) AND TWO (2), AND ADDED PARAGRAPH THREE (3) AS PROPOSED
BY IVORY COAST. END COMMENT.

ARTICLE 9. (APPOINTMENT OF THE MEMBERS OF THE MISSION).

COMMENT: POSTPONED BY COMMITTEE. END COMMENT.

ARTICLE 10. (CREDENTIALS OF THE HEAD OF MISSION).

COMMENT: ILC TEXT ADOPTED. END COMMENT.

ARTICLE 11. (ACCREDITATION TO ORGANS OF THE ORGANIZATION).

COMMENT: ILC TEXT ADOPTED. END COMMENT.

ARTICLE 12. (FULL POWERS IN THE CONCLUSION OF A TREATY
WITH THE ORGANIZATION).

COMMENT: ILC TEXT ADOPTED. END COMMENT.

ARTICLE 13. (COMPOSITION OF THE MISSION).

COMMENT: ILC TEXT ADOPTED. END COMMENT.

ARTICLE 14. (SIZE OF THE MISSION).

COMMENT: ILC TEXT ADOPTED. END COMMENT.

ARTICLE 15. (NOTIFICATIONS).

QUOTE:

1. THE SENDING STATE SHALL NOTIFY THE ORGANIZATION OF:

(A) THE APPOINTMENT, POSITION, TITLE AND ORDER OF
PRECEDENCE OF THE MEMBERS OF THE MISSION, THEIR
ARRIVAL, THEIR FINAL DEPARTURE OR THE TERMINA-
TION OF THEIR FUNCTIONS WITH THE MISSION, AND
ANY OTHER CHANGES AFFECTING THEIR STATUS THAT MAY
OCCUR IN THE COURSE OF THEIR SERVICE WITH MISSION;
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(B) THE ARRIVAL AND FINAL DEPARTURE OF ANY PERSON
BELONGING TO THE FAMILY OF A MEMBER OF THE
MISSION AND FORMING PART OF HIS HOUSEHOLD AND,
WHERE APPROPRIATE, THE FACT THAT A PERSON
BECOMES OR CEASES TO BE A MEMBER OF THE FAMILY
OF A MEMBER OF THE MISSION AS FAR AS SUCH A
PERSON FORMS PART OF HIS HOUSEHOLD;

(C) THE ARRIVAL AND FINAL DEPARTURE OF PERSONS
EMPLOYED ON THE PRIVATE STAFF OF MEMBERS OF

THE MISSION AND THE FACT THAT THEY ARE LEAVING
THAT EMPLOYMENT;

(D) THE BEGINNING AND THE TERMINATION OF THE EMPLOY-
MENT OF PERSONS RESIDENT IN THE HOST STATE AS
MEMBERS OF THE STAFF OF THE MISSION OR AS PERSONS
EMPLOYED ON THE PRIVATE STAFF;

(E) THE LOCATION OF THE PREMISES OF THE MISSION
AND OF THE PRIVATE RESIDENCES ENJOYING INVIOLA-
BILITY UNDER ARTICLES 23 AND 29, AS WELL AS
ANY OTHER INFORMATION THAT MAY BE NECESSARY TO
IDENTIFY SUCH PREMISES AND RESIDENCES.

2. WHERE POSSIBLE, PRIOR NOTIFICATION OF ARRIVAL AND
FINAL DEPARTURE SHALL ALSO BE GIVEN.

3. THE ORGANIZATION SHALL TRANSMIT TO THE HOST STATE
THE NOTIFICATIONS REFERRED TO IN PARAGRAPHS 1 AND 2.

4. THE SENDING STATE MAY ALSO TRANSMIT TO THE HOST STATE
THE NOTIFICATIONS REFERRED TO IN PARAGRAPHS 1 AND 2. END QUOTE.

COMMENT: COMMITTEE ADOPTED ILC TEXT, AS AMENDED IN
PARAGRAPH 1(A) BY U.K. AND 1(B) BY FRG. END COMMENT.HUMES

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